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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF WASHINGTON**
9 **AT YAKIMA**

10 MICHAEL SCOTT BRUMBACK,
11 an individual, et al.,

12 Plaintiffs,

13 v.

14 ROBERT W. FERGUSON, in his
15 official capacity as Washington
16 State Attorney General, et al.,

17 Defendants,

18 ALLIANCE FOR GUN
19 RESPONSIBILITY,

20 Intervenor-Defendant.
21
22

NO. 1:22-cv-03093-MKD-
TOR

STIPULATED MOTION
AND [PROPOSED] ORDER
EXTENDING STAY

May 14, 2025
Without Oral Argument

STIPULATED MOTION AND
[PROPOSED] ORDER
EXTENDING STAY
NO. 1:22-cv-03093-MKD-TOR

Silent Majority Foundation
5238 Outlet Dr.
Pasco, WA 99301

RECITALS

1. On March 20, 2025, the Ninth Circuit *en banc* panel issued an opinion in *Duncan v. Bonta*, Case No. 23-55805, a case concerning the constitutionality of California's large-capacity magazine restriction statute.

2. On February 21, 2024, this Court granted in part and denied in part a Stipulated Motion and Order Extending Dispositive Briefing Deadlines, ECF No. 68, ordering that all pending deadlines and hearings stricken and staying the case pending the decision in *Duncan*.

3. A similar case, *State of Washington v. Gator's Custom Guns, Inc. et al.*, No. 102940-3, concerning the statutes at issue in this case, is now currently pending before the Washington Supreme Court. That matter, like this one, is a challenge to Washington's large capacity magazine laws under Article 1, section 24 of the Washington Constitution and the Second Amendment of the United States Constitution. It was argued before the Court on January 14, 2025, and is ripe for decision.

4. The parties anticipate that *Gator's* will provide binding precedent concerning Plaintiffs' claims under the Washington Constitution.

STIPULATION

The Parties, by and through their respective attorneys of record, with the exception of Robert Udell and Joseph Brusic who take no position, hereby stipulate to the following:

Attorneys for Defendants

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Attorney for Defendants

Joseph A. Brusic & Robert Udell

ORDER

1. The Order Striking Deadlines and Staying Case, ECF No. 68, is extended pending the issuance of a decision by the Washington Supreme Court in *State of Washington v. Gator's Custom Guns, Inc., et al.*, No. 102940-3.

2. Within ten days of the Washington Supreme Court issuing an opinion in *Gator's*, the parties shall file a joint status report with a proposed scheduling order attached, if necessary. For any hearing or trial dates, the parties shall confer with the Courtroom Deputy prior to proposing dates and times.

IT IS SO ORDERED. The District Court Executive is directed to file this order and provide copies to the parties.

DATED this _____ day of _____ 2025.

HON. THOMAS O. RICE
United States District Judge